

APR 04 2008

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

CENTURY INDEMNITY COMPANY,
AS SUCCESSOR TO CCI INSURANCE
COMPANY, AS SUCCESSOR TO
INSURANCE COMPANY OF NORTH
AMERICA and THE CONTINENTAL
INSURANCE COMPANY,

Plaintiffs,

v.

FREEPORT-MCMORAN COPPER &
GOLD INC., AS THE CLAIMED
SUCCESSOR TO PHELPS DODGE
CORPORATION, AS THE CLAIMED
SUCCESSOR TO CYPRUS AMAX
MINERALS COMPANY, AS THE
CLAIMED SUCCESSOR TO AMAX,
INC., AS SUCCESSOR TO AMERICAN
METAL CLIMAX, INC.,

Defendant.

08 Civ. 2012 (PKL)

**MOTION TO ADMIT
COUNSEL PRO HAC VICE**

FILED
U.S. DISTRICT COURT
2008 APR -4 PM 3:29
S.D. OF N.Y.

PURSUANT TO RULE 1.3(c) of the Local Rules of the United States District Courts for the Southern and Eastern Districts of New York, I, Lisa M. Cirando, a member in good standing of the bar of this Court, hereby move for an Order allowing the admission *pro hac vice* of

Applicant's Name: Mark J. Plumer
Firm Name: Heller Ehrman LLP
Address: 1717 Rhode Island Avenue, NW
City/State/Zip: Washington, DC 20036
Phone Number: 202.912.2021
Fax Number: 202.912.2202
Email: mark.plumer@hellerehrman.com

Mr. Plumer is a member in good standing of the bar of the State of Pennsylvania and the District of Columbia (see attached certificates of good standing at Exhibit A).

There are no pending disciplinary proceedings against Mr. Plumer in any State or Federal court.

Dated: April 4, 2008
New York, New York

Respectfully Submitted,

Sponsor: Lisa M. Cirando

SDNY Bar: LC 1916
Firm Name: Heller Ehrman LLP
Address: Times Square Tower, 7 Times Square
City/State/Zip: New York, New York 10036
Phone Number: (212) 847-8761
Fax Number: (212) 763-7600
Email: lisa.cirando@hellerehrman.com

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

-----X	
CENTURY INDEMNITY COMPANY,	:
AS SUCCESSOR TO CCI INSURANCE	:
COMPANY, AS SUCCESSOR TO	:
INSURANCE COMPANY OF NORTH	:
AMERICA and THE CONTINENTAL	:
INSURANCE COMPANY,	:
	:
Plaintiffs,	:
	:
v.	:
	:
FREEPORT-MCMORAN COPPER &	:
GOLD INC., AS THE CLAIMED	:
SUCCESSOR TO PHELPS DODGE	:
CORPORATION, AS THE CLAIMED	:
SUCCESSOR TO CYPRUS AMAX	:
MINERALS COMPANY, AS THE	:
CLAIMED SUCCESSOR TO AMAX,	:
INC., AS SUCCESSOR TO AMERICAN	:
METAL CLIMAX, INC.,	:
	:
Defendant.	:
-----X	

08 Civ. 2012 (PKL)

**AFFIDAVIT OF
LISA M. CIRANDO
IN SUPPORT OF MOTION
TO ADMIT
COUNSEL PRO HAC VICE**

State of New York)
) ss:
County of New York)

Lisa M. Cirando, being duly sworn, hereby deposes and says:

1. I am an attorney with the law firm of Heller Ehrman LLP, counsel for defendants Freeport-McMoRan Copper & Gold Inc., Phelps Dodge Corporation and Cyprus Amax Minerals Company in the above-captioned action. I am familiar with the proceedings in this case. I make this statement based on my personal knowledge of the facts set forth herein and in support of Defendant's motion to admit Mark J. Plumer as counsel *pro hac vice* to represent Defendant in this matter.
2. I am a member in good standing of the bar of the State of New York, and was admitted to practice law in February 1997. I am also admitted to the bar of the United States District Court for the Southern District of New York, and am in good standing with this Court.

3. I have known Mark J. Plumer since 2006.
4. Mr. Plumer is a shareholder with the law firm of Heller Ehrman LLP, Washington, D.C. Mr. Plumer is admitted to the bar of the state of Pennsylvania and the District of Columbia. Certificates of Mr. Plumer's good standing, issued within the last 30 days, are attached hereto as Exhibit A.
5. Mr. Plumer is a skilled attorney and a person of integrity. He is experienced in Federal practice and is familiar with the Federal Rules of Procedure.
6. Accordingly, I am pleased to move for the admission of Mark J. Plumer, *pro hac vice*.
7. I respectfully submit a proposed order granting the admission of Mark J. Plumer, *pro hac vice*, which is attached hereto as Exhibit B.

WHEREFORE it is respectfully requested that the motion to admit Mark J. Plumer, *pro hac vice*, to represent Defendant in the above captioned matter, be granted.

Dated: April 4, 2008

Respectfully submitted,

Lisa M. Cirando (LC 1916)

HELLER EHRMAN LLP
7 Times Square
New York, New York 10036
(212) 832-8300
Fax: (212) 763-7600
Lisa.Cirando@hellerehrman.com

Sworn to before me this 4th day of April, 2008



Notary Public

Joseph W. Farrell
Executive Director

Suzanne E. Price
Attorney Registrar



Tel: (717) 731-7073
Fax: (717) 731-7080
www.padboard.org

**THE DISCIPLINARY BOARD OF THE
SUPREME COURT OF PENNSYLVANIA**

Two Lemoyne Drive, 1st Floor
Lemoyne, PA 17043

CERTIFICATION OF INACTIVE STATUS

In lieu of Certificate of Good Standing

For

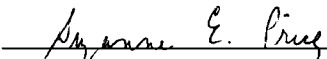
MARK JAY PLUMER

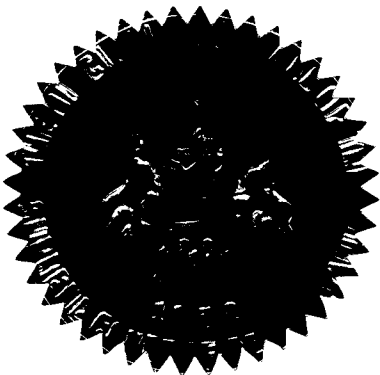
PA Bar Number 48596

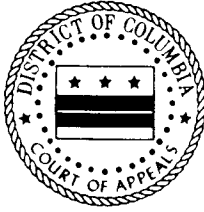
I, Suzanne E. Price, as the Attorney Registrar for the Disciplinary Board of the Supreme Court of Pennsylvania, hereby confirm that Mark Jay Plumer was admitted as an Attorney by the Supreme Court of Pennsylvania to the bar of the courts of the Commonwealth of Pennsylvania on January 20, 1987.

Mr. Plumer is currently registered as "Voluntarily Inactive", having assumed said status as of July 1, 1993.

Dated this 19th day of March, 2008

By: 
Suzanne E. Price
Attorney Registrar





District of Columbia Court of Appeals
Committee on Admissions
500 Indiana Avenue, N.W. — Room 4200
Washington, D. C. 20001
202 / 879-2710

I, GARLAND PINKSTON, JR., Clerk of the District of Columbia Court of Appeals, do hereby certify that

MARK J. PLUMER

was on the 24TH day of FEBRUARY, 1988

duly qualified and admitted as an attorney and counselor and entitled to practice before this Court and is, on the date indicated below, an active member in good standing of this Bar.

In Testimony Whereof, I have hereunto subscribed my name and affixed the seal of this Court at the City of Washington, D.C., on March 19, 2008.

GARLAND PINKSTON, JR., CLERK

By: W. Charles
Deputy Clerk

OFFICE OF BAR COUNSEL

CERTIFICATE CONCERNING DISCIPLINE AND/OR ADMINISTRATIVE SUSPENSION

*Serving the District
of Columbia Court
of Appeals and its Board
on Professional
Responsibility*

Wallace E. Shipp, Jr.
Bar Counsel

Deputy Bar Counsel
Elizabeth A. Herman

Senior Assistant Bar Counsel
Julia L. Porter
Judith Hetherton

Assistant Bar Counsel
Joseph N. Bowman
Ross T. Dicker
Gayle Marie Brown Driver
Catherine L. Kello
Becky Neal
William Ross
H. Clay Smith, III
Traci M. Tait

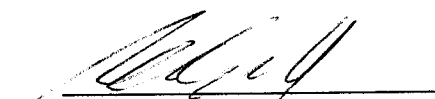
Staff Attorney
Lawrence K. Bloom
Sara Bromberg
Dolores Dorsainvil



The undersigned is Bar Counsel for the District of Columbia Bar, having been appointed by the Board on Professional Responsibility ("Board") pursuant to Rule XI, § 4(e)(2), of the Rules of the District of Columbia Court of Appeals Governing the Bar. As such, this office is the custodian of the records of the Board and has access to the membership records of the unified District of Columbia Bar.

On February 24, 1988, Mark J. Plumer was admitted to practice in the District of Columbia and currently is an active member in good standing of the Bar.

No discipline has been imposed upon this attorney nor has Bar Counsel filed a petition seeking discipline against this attorney. No complaint has been filed, upon which basis, this attorney has been required to respond to a formal investigation by Bar Counsel.



Wallace E. Shipp, Jr.
Bar Counsel

Dated: March 21, 2008
WES:snl

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

-----X
CENTURY INDEMNITY COMPANY, :
AS SUCCESSOR TO CCI INSURANCE :
COMPANY, AS SUCCESSOR TO : 08 Civ. 2012 (PKL)
INSURANCE COMPANY OF NORTH :
AMERICA and THE CONTINENTAL :
INSURANCE COMPANY, : **ORDER FOR ADMISSION**
: ***PRO HAC VICE***
: **ON WRITTEN MOTION**

Plaintiffs, :

v. :

FREEPORT-MCMORAN COPPER & :
GOLD INC., AS THE CLAIMED :
SUCCESSOR TO PHELPS DODGE :
CORPORATION, AS THE CLAIMED :
SUCCESSOR TO CYPRUS AMAX :
MINERALS COMPANY, AS THE :
CLAIMED SUCCESSOR TO AMAX, :
INC., AS SUCCESSOR TO AMERICAN :
METAL CLIMAX, INC., :

Defendant. :
-----X

Upon the motion of Lisa M. Cirando, attorney for defendants Freeport–McMoran Copper & Gold, Inc., Phelps Dodge Corporation and Cyprus Amax Minerals Company in the above-captioned case,

IT IS HEREBY ORDERED that

Applicant's Name: Mark J. Plumer
Firm Name: Heller Ehrman LLP
Address: 1717 Rhode Island Avenue, NW
City/State/Zip: Washington, DC 20036
Phone Number: (202) 912-2021
Fax Number: (202) 912-2202
Email Address: mark.plumer@hellerehrman.com

is admitted to practice *pro hac vice* as counsel for defendants Freeport–McMoran Copper & Gold, Inc., Phelps Dodge Corporation and Cyprus Amax Minerals Company in the

above-captioned case in the United States District Court for the Southern District of New York. All attorneys appearing before this Court are subject to the Local Rules of this Court, including the Rules governing discipline of attorneys. If this action is assigned to the Electronic Case Filing (ECF) system, counsel shall immediately apply for an ECF password at nysd.uscourts.gov. Counsel shall forward the *pro hac vice* fee to the Clerk of Court.

Dated: _____, 2008
New York, New York

SO ORDERED:

Hon. Peter K. Leisure
United States District Court

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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CENTURY INDEMNITY COMPANY,	:
AS SUCCESSOR TO CCI INSURANCE	:
COMPANY, AS SUCCESSOR TO	:
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AMERICA and THE CONTINENTAL	:
INSURANCE COMPANY,	:
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Plaintiffs,	:
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v.	:
	:
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FREEPORT-MCMORAN COPPER &	:
GOLD INC., AS THE CLAIMED	:
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CORPORATION, AS THE CLAIMED	:
SUCCESSOR TO CYPRUS AMAX	:
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CLAIMED SUCCESSOR TO AMAX,	:
INC., AS SUCCESSOR TO AMERICAN	:
METAL CLIMAX, INC.,	:
	:
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Defendant.	:
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08 Civ. 2012 (PKL)

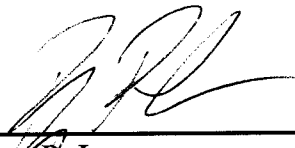
Certificate of Service

I, Ryan Larson, hereby declare under penalty of perjury, on the 4 day of April 2008, I caused true and correct copies of defendant's Freeport-McMoRan Copper & Gold, Inc., Phelps Dodge Corporation, and Cyprus AMAX Minerals Company (1) Motion to Admit Counsel *Pro Hac Vice*, (2) Affidavit of Lisa M. Cirando in Support of Motion to Admit Counsel *Pro Hac Vice* with Certificate of Good Standing attached, and (3) Proposed Order for Admission *Pro Hac Vice* on Written Motion in the above captioned case to be served on plaintiffs Century Indemnity Company's and The Continental Insurance Company's counsel listed below by Federal Express:

Shane R. Heskin, Esq.
White and Williams LLP
1800 One Liberty Place
Philadelphia, Pennsylvania 19103
(215) 864-7000
Attorneys for Plaintiff Century Indemnity Company

Alan P. Jacobus, Esq.
Carroll Burdick & McDonough LLP
44 Montgomery Street
San Francisco, California 94104
(415) 989-1900
Attorneys for Plaintiff The Continental Insurance Company

Dated: New York, New York
April 4, 2008



Ryan P. Larson